



### ↑Affix Customer Label Here↑

**PATENT** Docket No. 5000-5110



Express Mail Label No. EV357801157US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

# **UTILITY APPLICATION AND APPLICATION FEE TRANSMITTAL (1.53(b))**

Tsutomu UMEHARA; Masaaki YAMAGUCHI; and Hiroki KINUHATA Applicant(s)

Serial No

**TBA** 

Filed

Herewith

For

APPARATUS AND METHOD FOR CONTROLLING EGR IN AN ENGINE

Mail Stop Patent Application **COMMISSIONER FOR PATENTS** PO Box 1450

[ ] Newly Executed

[ ] Copy from prior application

Alexandria, Virginia 22313-1450

Sir: Transmitted herewith for filing is the patent application of: Tsutomu UMEHARA; Masaaki YAMAGUCHI; and Hiroki KINUHATA Named Inventor(s) and Address(es): c/o: KABUSHIKI KAISHA TOYOTA JIDOSHOKKI 2-1, Toyoda-cho, Kariya-shi, Aichi-ken, Japan APPARATUS AND METHOD FOR CONTROLLING EGR IN AN ENGINE For: Enclosed are: page(s) of claims [X] 37 page(s) of specification, 1 page(s) of Abstract, 5 sheets of drawing [X] formal (Figs. 1-14) [] informal [ ] \_\_\_ page(s) of Declaration and Power of Attorney [ ] Unsigned

[ ] Deletion of inventors including Signed Statement under 37 C.F.R. § 1.63(d)(2)

LJ	combined declaration and power of attorney is supplied herein, is considered as being part of the disclosure of the accompanying application and is incorporated herein by reference.							
[]	Microfiche Computer Program (Appendix)							
[]	F	page(s) of Sequence Listing						
	[]	computer readable disk containing Sequence Listing Statement under 37 C.F.R. § 1.821(f) that computer and paper copies of the Sequence Listing are the same						
[X]	Claim f	or Priority (Claim to Convention Priority) is made to Japanese Application No. 2002-191061 filed on June 28, 2002.						
[X]	Certified copy of the Priority Document No. 2002-191061 will be submitted at a later date.							
	[]	English translation documents						
[]	Information Disclosure Statement							
	[]	Copies of the cited references, including Form PTO-1449						
	[]	Copy of PTO-1449 filed in parent application serial No						
[]	Prelimi	Preliminary Amendment						
[X]	Return	Return receipt postcard (MPEP 503)						
[]	Assignment Papers (assignment cover sheet and assignment documents)							
	[]	A check in the amount of \$ 40.00 for recording the Assignment.						
	[]	Assignment papers filed in parent application Serial No						
	[]	Certification of chain of title pursuant to 37 C.F.R. § 3.73(b).						
[ ]	This is a	a [ ] continuation [ ] divisional [ ] continuation-in-part (C-1-P) of prior application serial no.						
	[]	Cancel in this application original claims of the parent application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)						
	[]	A preliminary Amendment is enclosed. (Claims added by this Amendment have been properly numbered consecutively beginning with the number following the highest numbered original claim in the prior application.						
[]	The status of the parent application is as follows:							
	[ ]	A Petition For Extension of Time and a Fee therefor has been or is being filed in the parent application to extend the term for action in the parent application until						
	[]	A copy of the Petition for Extension of Time in the co-pending parent application is attached.						

application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$	the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.  Amend the specification by inserting before the first line the sentence:  This is a [ ] continuation [ ] divisional [ ] continuation-in-part of co-pending application Serial No		[]	No Petitio application	n For Extension of n.	Time and Fe	e therefor are nece	essary i	in the co-pend	ding parent	
This is a [ ] continuation [ ] divisional [ ] continuation-in-part of co-pending application Serial No	This is a [ ] continuation [ ] divisional [ ] continuation-in-part of co-pending application Serial No	[]	the petition for extension of time in that application is granted and while this application is pending has								
I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)    Rate   S 750.00	I. CALCULATION OF APPLICATION FEE (For Other Than A Small Entity)    Number Filed   Number Extra   Rate   \$750.00     Total   20	[ ]									
Total Claims  20 -20 = 0 x \$ 18.00 0.00 Independent Claims 3 -3 = 0 Additional Fee = \$ 280.00 [X] no  Total: \$ 750.00  Total: \$ 750.00  Total: \$ 750.00  Total: \$ 750.00  [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. \$ 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. \$ 1.9(F) (50% of total) paid herewith \$	Total Claims  20 -20 = 0  x \$ 18.00  \$ 0.00  Independent Claims  3 -3 = 0  Additional Fee = \$ 280.00  [X] no  Multiple Dependent Claims  [ ] yes  Add'l Fee = \$ 280.00  [X] no  Total: \$ 750.00  Total: \$ 750.00   Total: \$ 750.00  [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$  [X] A check in the amount of \$ 750.00 in payment of the application filing fees is attached.  [ ] A check in the amount of \$ in payment of the assignment recording fee is attached.  [ ] Charge Fee(s) to Deposit Account No. 13-4500. Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Dated: June 27, 2003  Respectfully submitted,  Respectfully submitted,  Registration No. 35,613  CORRESPONDENCE ADDRESS:  MORGAN & FINNEGAN, L.L.P.  345 Park Avenue New York, New York 10154  (21) 758-48800				filed	<del></del> '					
Total Claims  20 -20 = 0 x \$ 18.00 0.00 Independent Claims 3 -3 = 0 Additional Fee = \$ 280.00 [X] no  Total: \$ 750.00  Total: \$ 750.00  Total: \$ 750.00  Total: \$ 750.00  [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. \$ 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. \$ 1.9(F) (50% of total) paid herewith \$	Total Claims  20 -20 = 0  x \$ 18.00  \$ 0.00  Independent Claims  3 -3 = 0  Additional Fee = \$ 280.00  [X] no  Multiple Dependent Claims  [ ] yes  Add'l Fee = \$ 280.00  [X] no  Total: \$ 750.00  Total: \$ 750.00   Total: \$ 750.00  [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$  [X] A check in the amount of \$ 750.00 in payment of the application filing fees is attached.  [ ] A check in the amount of \$ in payment of the assignment recording fee is attached.  [ ] Charge Fee(s) to Deposit Account No. 13-4500. Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Dated: June 27, 2003  Respectfully submitted,  Respectfully submitted,  Registration No. 35,613  CORRESPONDENCE ADDRESS:  MORGAN & FINNEGAN, L.L.P.  345 Park Avenue New York, New York 10154  (21) 758-48800		T	CALCIIIA	TION OF ADDITION	ATION EEE	(For Other Than	A Cma	11 Entited	•	
Total Claims  20 -20 = 0	Number Filed   Number Extra   Rate   \$ 750.00		1.	CALCULA	TION OF AFFLIC	ATIONTEL	(roi Outer Than	A Silia	ii Enuty)	Basic Fee	
Claims  20 -20 = 0 x \$ 18.00 \$ 0.00  Independent Claims  3 -3 = 0 x \$ 84.00 \$ 0.00  Multiple Dependent Claims  [] yes Add'l Fee = \$ 280.00 \$ 0.00  [X] no  Total: \$ 750.00  [Joseph Care of the amount of \$ 750.00 in payment of the application filing fees is attached.  [A check in the amount of \$ 13-4500. Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [A check in the amount of \$ 150.00 Creder No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [A check in the amount of \$ 150.00 Creder No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [A check in the amount of \$ 150.00 Creder No. 13-4500, Order No. 13-450	Claims 20 -20 = 0 x \$ 18.00 \$ 0.00  Independent Claims 3 -3 = 0 x \$ 84.00 \$ 0.00  Multiple Dependent Claims  Additional Fee = \$ 280.00 \$ 0.00  [X] no  Total: \$ 750.00  [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$				Number Filed		Number Extra		Rate		
Independent Claims  3 -3 = 0	Independent   Claims   3   -3 =   0				20	20	0		C 10 00		
Claims  3 -3 = 0 x \$ 84.00 \$ 0.00  Multiple Dependent Claims  [] yes [X] no  Additional Fee = \$ 280.00 \$ 0.00  NONE  Total: \$ 750.00  [] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$	Claims  3 -3 = 0		ndent		20	-20			X \$ 18.00	\$ 0.00	
Multiple Dependent Claims  [] yes	Multiple Dependent Claims  [] yes [X] no  Add'I Fee = \$ 280.00 \$ 0.00  NONE  Total: \$ 750.00  [] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$		100111		3	- 3 =	0		x \$ 84.00	\$ 0.00	
Total: \$ 750.00  [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$	Total: \$ 750.00  [ ] A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$  [X] A check in the amount of \$ 750.00 in payment of the application filing fees is attached.  [ ] A check in the amount of \$ in payment of the assignment recording fee is attached.  [ ] Charge Fee(s) to Deposit Account No. 13-4500. Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Respectfully submitted,  Respectfully submitted,  Sieven F. Meyer  Registration No. 35,613  CORRESPONDENCE ADDRESS:  MORGAN & FINNEGAN, L.L.P. 345 Park Avenue  New York, New York 10154  (212) 758-4800	Multipl	e Depen	dent Claims			Additional Fee	=			
A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$	A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$						Add'l Fee	=		\$ 0.00	
Correspondence Address:  Charge Fee(s) to Deposit Account No. 13-4500. Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Correspondence Address:  Correspondence Address:	[ ] Charge Fee(s) to Deposit Account No. 13-4500. Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Respectfully submitted,  Steven F. Meyer Registration No. 35,613  CORRESPONDENCE ADDRESS: MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, New York 10154 (212) 758-4800		A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$								
THIS SHEET IS ATTACHED.  [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Respectfully submitted,  Dated: June 27, 2003  Respectfully submitted,  Steven F. Meyer  Registration No. 35,613  CORRESPONDENCE ADDRESS:	THIS SHEET IS ATTACHED.  [X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Respectfully submitted,  Steven F. Meyer Registration No. 35,613  CORRESPONDENCE ADDRESS: MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, New York 10154 (212) 758-4800	U	A checi	k in the amou	nut or 2	ın payment o	ule assignment r	ecorai	ng ree is attac	inea.	
filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110.  A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Respectfully submitted,  Steven F. Meyer  Registration No. 35,613  CORRESPONDENCE ADDRESS:	filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110.  A DUPLICATE COPY OF THIS SHEET IS ATTACHED.  Respectfully submitted,  Steven F. Meyer Registration No. 35,613  CORRESPONDENCE ADDRESS: MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, New York 10154 (212) 758-4800	[ ]									
Dated: June 27, 2003  Steven F. Meyer Registration No. 35,613  CORRESPONDENCE ADDRESS:	Dated: June 27, 2003  Steven F. Meyer Registration No. 35,613  CORRESPONDENCE ADDRESS: MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, New York 10154 (212) 758-4800	[X]	filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110.								
CORRESPONDENCE ADDRESS:	CORRESPONDENCE ADDRESS: MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, New York 10154 (212) 758-4800	Dated:	Steven F. Meyer								
345 Park Avenue		MORGA 345 Park	N & FIN Avenue	NEGAN, L.L.			Registration No.	. 33,61	3		
(212) 758-4800	(212) 751-6849 Facsimile			csimile							

	[ ] No Per applica	tition For Extension of ation.	Time and Fe	e therefor are nece	ssary in the co-	pending parent		
[]	Please abandon the parent application at a time while the parent application is pending or at a time when the petition for extension of time in that application is granted and while this application is pending has been granted a filing date, so as to make this application co-pending.							
[]	Amend the specification by inserting before the first line the sentence:  This is a [ ] continuation [ ] divisional [ ] continuation-in-part of co-pending application Serial No							
		filed						
	I. CALCU	JLATION OF APPLIC	CATION FEE	(For Other Than	A Small Entity)	Basic Fee		
		Number Filed		Number Extra	Rate	\$ 750.00		
Total Claims		20	-20 =	0	x \$ 18.0	00 \$ 0.00		
Indeper Claims		3	- 3 =	0	x \$ 84.0	0.00 \$ 0.00		
	le Dependent Clai		<u> </u>	Additional Fee				
		[ ] yes [X] no	•	Add'l Fee	= \$ 280.0 NONE	0 \$ 0.00		
	Total: § 750.00  A statement claiming small entity status is attached or has been filed in the above-identified parent application and its benefit under 37 C.F.R. § 1.28(a) is hereby claimed. Reduced fees under 37 C.F.R. § 1.9(F) (50% of total) paid herewith \$							
[X]	A check in the	mount of <u>\$ 750.00</u>	_ in payment o	of the application f	tling tees is atta	cnea.		
[]	A check in the	amount of \$	_ in payment o	of the assignment r	recording fee is	attached.		
[]	Charge Fee(s) to Deposit Account No. 13-4500. Order No A DUPLICATE COPY OF THIS SHEET IS ATTACHED.							
[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-5110. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.								
Dated:	Respectfully submitted,  ed: June 27, 2003  Steven F. Meyer  Registration No. 35,613							
MORG/ 345 Parl New Yo (212) 75	SPONDENCE ADIAN & FINNEGAN, Avenue Revenue Rev	L.L.P.		TOPING MANUTATIVE				

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):

Tsutomu UMEHARA; Masaaki YAMAGUCHI; and Hiroki KINUHATA

Serial No.:

**TBA** 

Group Art Unit:

**TBA** 

Filed:

Concurrently Herewith

Examiner:

**TBA** 

For:

APPARATUS AND METHOD FOR CONTROLLING EGR IN AN ENGINE

### **EXPRESS MAIL CERTIFICATE**

Express Mail Label No.:

EV357801157US

Date of Deposit:

June 27, 2003

I hereby certify that the following attached paper(s) and/or fee

- Utility Application and Fee Transmittal (in duplicate); 1.
- 2. 37 pp. specification; 5 pp. claims; 1 pg. abstract;
- 8 sheets of formal drawings (Figures 1-14); 3.
- Claim to Convention Priority; 4.
- A check in the amount of \$750.00 in payment of the filing fee; and 5.
- A return receipt postcard.

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to the Mail Stop Patent Application, Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313 1450.

(Typed or printed name of person mailing papers(s) and/or

fee)

Date: June 27, 2003

(Signature of person mailing paper(s) and/or fee)

Correspondence Address: MORGAN & FINNEGAN, L.L.P. 345 Park Avenue New York, NY 10154-0053 (212) 758-4800 Telephone

(212) 751-6849 Facsimile